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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/828,856	04/10/2001	Hsi-Hsun Huang	320528167US	6956
25096	7590	06/11/2009		
PERKINS COIE LLP			EXAMINER	
PATENT-SEA			VO, QUANG N	
P.O. BOX 1247				
SEATTLE, WA 98111-1247			ART UNIT	PAPER NUMBER
			2625	
			MAIL DATE	DELIVERY MODE
			06/11/2009 PAPER	

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary**Application No.**

09/828,856

Applicant(s)

HUANG, HSI-HSUN

Examiner

Quang N. Vo

Art Unit

2625

Period for Reply -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 05 March 2009.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 3-8, 10, 11, 13-16, 18-25, 28, 30, 32-35, 37-40 and 42-45 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 3-8, 10, 11, 13-16, 18-25, 28, 30, 32-35, 37-40 and 42-45 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

Response to Arguments

Regarding claim 1, Applicant's argument is Tomat does not teach or suggest inserting an address of a location in a self-extracting executable file. Accordingly, Tomat fails to teach or suggest a destination selection system that is "further configured to insert a destination address of the selected location for saving scanning data in a self-extracting executable file," as recited in claim 25.

In response: Cantwell differs from claim 25 in that he does not explicitly disclose a destination selection system configured to enable user to select a location from browser for saving scanning data, location being selected from locations including locations other than computer; and further configured to insert a destination address of the selected location for saving scanning data in a self-extracting executable file.

Tomat discloses a destination selection system (e.g., Autosend, figure 7) configured to enable user to select a location from browser for saving scanning data (e.g., in image file region 133, a user enters a file location in file location text box 140 and a file name in file name list box 141 so as to specify a location for storing the temporary image file created when scanner 1 scans a document. The file location and file name can be entered either from keyboard 12 or through use of browse button 142 which allows a user to search hard disk 15 for an appropriate location, figures 6-9, column 10, lines 12-18), location being selected from locations including locations other than computer (e.g., computer system 2 is capable of sending data such as image files to computer systems and/or other devices that are physically remote from computer

system 2, figure 1, column 4, lines 40-42; column 5, lines 24-33); and further configured to insert a destination address of the selected location for saving scanning data in a self-extracting executable file (e.g., block 140 with inserted a destination address of the selected location, figure 7).

Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to have modified Cantwell to include a destination selection system configured to enable user to select a location from browser for saving scanning data, location being selected from locations including locations other than computer; and further configured to insert a destination address of the selected location for saving scanning data in a self-extracting executable file as taught by Tomat. It would have been obvious to one of ordinary skill in the art at the time of the invention to have modified Cantwell by the teaching of Tomat to conveniently access or retrieve information from browser.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 3- 4, 10-11, 13-14, 19-23, 25, 28, 30, 32-35,38-40 are rejected under 35 U.S.C. 103(a) as being unpatentable over Cantwell (US 6,594,690) in view of Tomat (US 6,459,499).

With regard to claim 25, Cantwell discloses a server for a network, the server configured to enable a user at a computer (e.g., computer 4, figure 1) to scan a document at a scanner (e.g., scanner 10, figure 1) to obtain scanning data, the server (e.g., server 6, figure 1) comprising: a database of scanner drivers (e.g., device drivers stored at website at intranet server or internet server; Col 2 Lines 9-14); a driver selection system configured to enable the user to select a driver for the scanner from the database of scanner drivers in response to one or more inputs provided to a browser hosted at computer, wherein browser enables the user to browse information received over a data transmission network (e.g., a user operates a browser on computer to browse to the website where the device driver is located, column 2, lines 29-34), and wherein one or more inputs are received at server over data transmission network (computer communicates with server through connection, Col 2 Lines 3-8; user selects driver Col 3 Lines 3-7), wherein the selected driver is configured to be transferred to the station in the self-extracting executable file (Col 2 Lines 45-53).

Cantwell differs from claim 25 in that he does not explicitly disclose a destination selection system configured to enable user to select a location from browser for saving scanning data, location being selected from locations including locations other than computer; and further configured to insert a destination address of the selected location for saving scanning data in a self-extracting executable file.

Tomat discloses a destination selection system (e.g., Autosend, figure 7) configured to enable user to select a location from browser for saving scanning data (e.g., in image file region 133, a user enters a file location in file location text box 140

and a file name in file name list box 141 so as to specify a location for storing the temporary image file created when scanner 1 scans a document. The file location and file name can be entered either from keyboard 12 or through use of browse button 142 which allows a user to search hard disk 15 for an appropriate location, figures 6-9, column 10, lines 12-18), location being selected from locations including locations other than computer (e.g., computer system 2 is capable of sending data such as image files to computer systems and/or other devices that are physically remote from computer system 2, figure 1, column 4, lines 40-42; column 5, lines 24-33); and further configured to insert a destination address of the selected location for saving scanning data in a self-extracting executable file (e.g., block 140 with inserted a destination address of the selected location, figure 7).

Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to have modified Cantwell to include a destination selection system configured to enable user to select a location from browser for saving scanning data, location being selected from locations including locations other than computer; and further configured to insert a destination address of the selected location for saving scanning data in a self-extracting executable file as taught by Tomat. It would have been obvious to one of ordinary skill in the art at the time of the invention to have modified Cantwell by the teaching of Tomat to conveniently access or retrieve information from browser.

For claim 3, which is representative of Claim 22, Cantwell teaches wherein the predetermined location comprises a universal resource locator (URL) (Col 2 Lines 21-28).

Considering claim 4, Cantwell discloses wherein the location specifies a media to be used to save the scanning data (Col 2 Lines 15-20).

For claim 10, Cantwell discloses wherein the driver is configured to be removed from the computer after the scanning data is saved in location (Col 3 Lines 13-18).

For claim 11, Cantwell teaches wherein the server further comprises a network connection configure to transmit information between data transmission network and at least one of driver selection system and/or delivery system (Col 3 Lines 13-18).

Considering claim 13, Cantwell teaches wherein server is further configured to populate a menu viewable at computer on web browser identifying two or more of plurality of scanner drivers (Col 1 Lines 34-44).

Regarding claim 14, which is representative of claim 19, Cantwell teaches wherein server is configured to render menu according to a hypertext transfer protocol (Col 2 Lines 20-34).

Considering claim 20, Cantwell teaches wherein enabling selection of at least one of scanner drivers in response to received information comprises receiving inputs from a menu rendered on web browser (Col 2 Lines 20-67).

For claim 21, which is representative of claim 23 Cantwell teaches wherein location comprised an electronic mail (e-mail) address (Col 2 Lines 21-28).

With regard to claim 28, the subject matter is similar to claim 25. Therefore claim 28 is rejected as set forth above for claim 25.

Referring to claim 30:

Claim 30 is the method claim corresponding to operation of the device in claim 25 with method steps corresponding directly to the function of device elements in claim 25. Therefore claim 30 is rejected as set forth above for claim 25.

With regard to claim 32, Cantwell discloses wherein selected driver is transferred to station over a file transfer protocol connection (e.g., the device drivers may have previously been retrieved from internet server 16 or any other means, column 2, lines 9-13).

With regard to claim 33, Tomat discloses wherein destination selection system enables user to select a location from browser by indicating the location in a text box provided by browser (e.g., block 133, figures 6-9).

Referring to claim 34:

Claim 34 is the method claim corresponding to operation of the device in claim 32 with method steps corresponding directly to the function of device elements in claim 32. Therefore claim 34 is rejected as set forth above for claim 32.

Referring to claim 35:

Claim 35 is the method claim corresponding to operation of the device in claim 33 with method steps corresponding directly to the function of device elements in claim 33. Therefore claim 35 is rejected as set forth above for claim 33.

With regard to claim 38, the subject matter is similar to claim 25. Therefore claim 38 is rejected as set forth above for claim 25.

With regard to claim 39, Tomat discloses further comprising means for storing scanning data of the user ((e.g., in step S1107, an image file that results from scanning the document is stored as a temporary image file. This temporary image file preferably is stored at the location specified by the selected user profile, column 13, lines 26-30).

With regard to claim 40, Tomat discloses further comprising means for enabling the user to view the stored scanning data (e.g., computer system 2 preferably includes display 10 for outputting images, column 4, lines 25-31).

Claims 5-8,15,16,18 and 37 are rejected under 35 U.S.C. 103(a) as being unpatentable over Cantwell (US6,594,690) and Tomat (US 6,459,499) and further in view of House et al. (House) (US 6,785,805).

For claim 5, which is representative of claim 18, Cantwell and Tomat disclose the server as described above. Cantwell and Tomat do not disclose expressly a login system configured to enable user to access driver selection system following establishing an identity of the user.

House discloses a login system configured to enable user to access driver selection system following establishing an identity of the user (Col 29 Lines 13-22).

Cantwell, Tomat & House are combinable because they are from the same field of endeavor, network driver devices.

At the time of the invention, it would have been obvious to a person of ordinary skill in the art to combine House with Cantwell and Tomat by incorporating a login system in the server.

The suggestion/motivation for doing so would have been to provide personalized user information, so that only authorized users are able to gain access to the server, and thus maintaining the security of the system.

Therefore, it would have been obvious to combine House with Cantwell and Tomat to obtain the invention as specified in claim 5.

For claim 6, House teaches wherein the login system is configured to correlate the identity of the user with an account on the server, and wherein the scanning data is saved in association with the account (Col 29 Lines 23-42).

For claim 7, it would be inherent for the account to comprise an email account.

For claim 8, House teaches a viewing system for enabling the user to view the scanning data saved in the account (Col 11 Lines 56-67; Ref 100).

Regarding claim 15, House teaches wherein server further comprises a login system that enables computer to access driver selection system in response to authentication of user (Col 29 Lines 13-22).

For claim 16, Cantwell discloses wherein server is configured to store one or more cookies on computer in response to authentication (Col 2 Lines 40-67).

With regard to claim 37, Houses discloses further comprising means for authenticating the user (Col 29 Lines 13-22).

Claim 24 is rejected under 35 U.S.C. 103(a) as being unpatentable over Cantwell (US6, 594,690) and Tomat (US 6,459,499) in view of Schneider et al (US 5,587,533).

Cantwell and Tomat disclose the server as discussed above.

Cantwell and Tomat do not disclose expressly wherein destination selection system is further configured to determine whether user has write permission associated with location; and warn user if location is not a valid destination for storing scanning data.

Schneider discloses scanned data that is stored under a user defined file name and the user is queried if the scanned data is to be saved or not (Col 23 Lines 31-44).

Cantwell, Tomat & Schneider are combinable because they are from the same field of endeavor, scanning objects.

At the time of the invention, it would have been obvious to a person of ordinary skill in the art to combine Schneider with Cantwell and Tomat. "

The suggestion/motivation for doing so would have been to provide a warning system for the user. Therefore, it would have been obvious to combine Schneider with Cantwell and Tomat to obtain the invention as specified in claim 24.

Claims 42-45 are rejected under 35 U.S.C. 103(a) as being unpatentable over Matsuda et al. (Matsuda) (US 7120910) in view of Cantwell (US 6,594,690).

Regarding claim 42, Matsuda discloses a computer-implemented method (e.g., computer network, figure 1) for scanning an original (e.g., scanners at different remote locations for scanning an image, figure 1), the method comprising: receiving at a first computer (e.g., the local image processing apparatus (first computer), figure 1, column

13, lines 8-10) a request for authentication (e.g., the user tries to open a box for which a password is set on the window in FIG. 14, a password confirmation window (not shown) is displayed. If the correct password is input, the window switches to the box document display window in FIG. 15, column 13, lines 63-67. Note: the user from host computer 10 try to access image files from memory boxes in HDD 2004 and a password confirmation window displayed from the local image processing apparatus to authenticating the user at computer host) from a second computer coupled to a scanner (e.g., a host computer 10) coupled to a scanner (e.g., scanner, figure 1), authenticating the second computer (e.g., the user tries to open a box for which a password is set on the window in FIG. 14, a password confirmation window (not shown) is displayed. If the correct password is input, the window switches to the box document display window in FIG. 15, column 13, lines 63-67); receiving a selection of a location for storing scanning data from the second computer, wherein the location is selected from locations including locations other than the second computer (e.g., the user can also designate the operation of storing a scanned image or PDL data sent from a Web client in a box. In addition, a stored document can be transmitted by FAX or E-mail, moved to another box, or printed out in accordance with an instruction from the user, column 12, lines 50-55).

Matsuda differs from claim 42 in that he does not explicitly disclose wherein the second computer does not have a driver for the scanner; determining one or more scanner drivers, wherein at least one of the scanner drivers may be used by the second computer to operate the scanner; providing an indication of the one or more scanner

drivers to the second computer; receiving a selection of a scanner driver from the second computer; and providing the selected scanner driver to the second computer, includes providing the selected scanner driver as a self-extracting file to the second computer, wherein the selected location is provided in the self-extracting file.

Cantwell discloses wherein the second computer does not have a driver for the scanner; determining one or more scanner drivers, wherein at least one of the scanner drivers may be used by the second computer to operate the scanner (e.g., a user operates a browser on computer to browse to the website where the device driver is located, column 2, lines 29-34); providing an indication of the one or more scanner drivers to the second computer (e.g., device drivers stored at website at intranet server or internet server; Col 2 Lines 9-14); receiving a selection of a scanner driver from the second computer; and providing the selected scanner driver to the second computer (e.g., driver downloaded by website and installed on computer; Col 3 Lines 8-12), includes providing the selected scanner driver as a self-extracting file to the second computer, wherein the selected location is provided in the self-extracting file (e.g., the executable code spawns 26 the setup and configuration utility on the client system. Information about the device is then communicated 28 to the executable code, or the setup and configuration utility portion of the executable code, column 2, lines 54-58. Note: since the executable code spawn the setup and configuration utility on the client system. Thus the executable code is self-extracting file).

Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to have modified Matsuda to include wherein the second computer does

not have a driver for the scanner; determining one or more scanner drivers, wherein at least one of the scanner drivers may be used by the second computer to operate the scanner; providing an indication of the one or more scanner drivers to the second computer; receiving a selection of a scanner driver from the second computer; and providing the selected scanner driver to the second computer, includes providing the selected scanner driver as a self-extracting file to the second computer, wherein the selected location is provided in the self-extracting file as taught by Cantwell. It would have been obvious to one of ordinary skill in the art at the time of the invention to have modified Matsuda by the teaching of Cantwell to conveniently access or retrieve information from different computer on network.

Regarding claim 43, Matsuda discloses wherein receiving a selection of a location for storing scanning data from the second computer (e.g., the user can also designate the operation of storing a scanned image or PDL data sent from a Web client in a box. In addition, a stored document can be transmitted by FAX or E-mail, moved to another box, or printed out in accordance with an instruction from the user, column 12, lines 50-55) includes receiving a selection of a location to which the first computer is coupled (e.g., in addition, since an image stored in the image processing apparatus can be transmitted as an image file from the image processing apparatus to the host computer, and the user can browse and operate this file through the Web browser on the host computer, the user can easily perform remote control, column 17, lines 11-15), and wherein the method further comprises: receiving a request to view stored scanning data from the second computer (e.g., the user can browse and operate this file through

the Web browser on the host computer, column 17, lines 13-15); accessing the location to which the first computer is coupled (e.g., the image processing apparatus, column 17, line 7); retrieving the stored scanning data; and providing the stored scanning data to the second computer (e.g., the user can browse and operate this file through the Web browser on the host computer, column 17, lines 13-15).

Regarding claim 44, Matsuda discloses further comprising: determining whether the second computer has permissions necessary to store scanning data at the location; and providing a warning to the second computer if the second computer does not have permissions necessary to store scanning data at the location (e.g., the user tries to open a box for which a password is set on the window in FIG. 14, a password confirmation window (not shown) is displayed. If the correct password is input, the window switches to the box document display window in FIG. 15; otherwise, the contents of this box cannot be seen, column 13, lines 63-67. Note: the user from host computer 10 try to access image files from memory boxes in HDD 2004 and a password confirmation window displayed from the local image processing apparatus to authenticating the user at computer host for accessing, otherwise the window will not be seen to let user know that the access denied).

Regarding claim 45, Matsuda discloses wherein the location is selected from at least one of a storage medium (e.g., an area in an HDD 2004 (a storage medium) in which image data are to be stored is divided into a plurality of areas in advance, which will be referred to as boxes, column 12, lines 40-42), an email address and a Uniform Resource Locator (URL) (e.g., a stored document can be transmitted by FAX or E-mail,

moved to another box, or printed out in accordance with an instruction from the user, Column 12, lines 52-55).

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Quang N. Vo whose telephone number is (571)270-1121. The examiner can normally be reached on 7:30AM-5:00PM Monday-Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David K. Moore can be reached on (571)272-7437. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Q. N. V./
Examiner, Art Unit 2625

/David K Moore/
Supervisory Patent Examiner, Art Unit 2625